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APPLICANT: Sandra M. Simms

DOCKET NO.: 3523/2/US

MAR 01 2005

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SERIAL NO.: 09/933,366

GROUP ART UNIT: 1614

)

FILED: August 20, 2001

EXAMINER: Cybille Delacroix-Muirheid

TITLE: SOLUTION COMPOSITION OF AN OXAZOLIDINONE ANTIBIOTIC
DRUG HAVING ENHANCED DRUG LOADINGCERTIFICATE OF TRANSMISSION

I hereby certify that this document and accompanying documents referred to herein are being transmitted to the United States Postal Service, via facsimile, to (571) 273-0572 on March 1, 2005.



Connie L. Park

Commissioner for Patents
P.O. Box 1450
U.S. Patent and Trademark Office
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL RESPONSE AFTER FINAL ACTION

Dear Examiner Delacroix-Muirheid:

This supplemental response is in response to a telephone interview with Examiner Delacroix-Muirheid on February 28, 2005, in which the Examiner notified Attorney for Applicants, Karen King, of her identification of an obviousness-type double patenting issue between the claims of the present application and those of U.S. Patent Number 6,696,426. See the Interview Summary issued by the Examiner on March 1, 2003, a copy of which was faxed to the Applicant.

Transmitted herewith, please find a Terminal Disclaimer and fee filed to remove any obviousness-type double patenting issue between the claims of the present application and U.S. Patent Number 6,696,426.

Mar-01-2005 05:45pm From-

PATENT PFIZER ANN ARBOR MI

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T-840 P.002/004 F-176

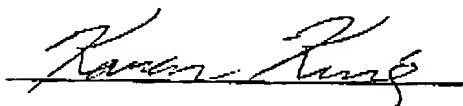
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Applicants respectfully submit that all the pending claims of the present patent application are in a condition for allowance. The Examiner is invited to contact the undersigned at the telephone number given below, should any additional questions or issues arise relating to this application.

Dated: 3/1/05



Karen B. King
Attorney for Applicant
Reg. No.: 41,898
Phone No.: (734) 622-4837

Confirmation No.

PTO/SB/17 (10-04)

Approved for use through 07/31/2008. OMB 0651-0032
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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
110.00

Complete if Known

Application Number	09/933,366
Filing Date	August 20, 2001
First Named Inventor	Sandra M. Siras
Examiner Name	Cybille Delacroix-Muirheid
Art Unit	1614
Attorney Docket No.	3523/2/US

METHOD OF PAYMENT (check all that apply)

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1001	2001	395		Utility filing fee	
1002	2002	175		Design filing fee	
1003	2003	275		Plant filing fee	
1004	2004	395		Reissue filing fee	
1005	2005	80		Provisional filing fee	
SUBTOTAL (1)				(\$)	0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
		-20** =	18.00	\$0.00
		- 3** =	88.00	\$0.00

Large Entity	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	0.00

** or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES							
Large Entity	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid		
1051	130	2051	65	Surcharge - late filing fee or oath			
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet			
1053	130	1053	130	Non-English specification			
1812	2,520	1812	2,520	For filing a request for ex parte reexamination			
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action			
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action			
1251	110	2251	55	Extension for reply within first month			
1252	430	2252	215	Extension for reply within second month			
1253	980	2253	490	Extension for reply within third month			
1254	1,530	2254	765	Extension for reply within fourth month			
1255	2,080	2255	1,040	Extension for reply within fifth month			
1401	340	2401	170	Notice of Appeal			
1402	340	2402	170	Filing a brief in support of an appeal			
1403	300	2403	150	Request for oral hearing			
1451	1,510	1451	1,510	Petition to institute a public use proceeding			
1452	110	2452	55	Petition to revive - unavoidable			
1453	1,330	2453	685	Petition to revive - unintentional			
1501	1,370	2501	685	Utility issue fee (or reissue)			
1602	490	2502	245	Design issue fee			
1503	660	2503	390	Plant issue fee			
1480	130	1480	130	Petitions to the Commissioner			
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)			
1806	180	1806	180	Submission of Information Disclosure Stmt			
8021	40	8021	40	Recording each patent assignment per property (times number of properties)			
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))			
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))			
1801	790	2801	395	Request for Continued Examination (RCE)			
1802	900	1802	900	Request for expedited examination of a design application			
Other fee (specify)		Terminal Disclaimer		110.00			
*Reduced by Basic Filing Fee Paid							
SUBTOTAL (3) (\$)							

(Complete if applicable)					
Name (Print/Type)	Karen B. King	Registration No. (Attorney/Agent)	41,898	Telephone	(734) 622-4837
Signature	<i>Karen B. King</i>			Date	March 1, 2005

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PAGE 3/4 * RCVD AT 3/1/2005 4:38:21 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/24 * DMS:2730572 * CSID:7346222928 * DURATION (mm:ss):01:54